

Statement

Captain James Daniel Maye

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Three (3) pages total including this cover

Statement from Capt..James Daniel Maye
USCG license # 898133 –Master 25 Ton

12-30-02

13:30 Conditions 15 knots out of the East. Light chop, clear visibility.

13:40 Started boarding Panther I, typical holiday vacation family type passengers. I did not notice anyone with any physical disabilities, or problems in boarding,...I had 34 passengers on board <during the busy season I count empty seats in this determination, versus conducting a manual head count,... I instructed everyone to keep arms inside the vessel as we pulled away from the dock,

13:55 I exited,...the boat basin. I informed everyone on board utilizing the PA system where life jackets were located, informed them where fire extinguishers were located, informed them that we had VHF capability back to the Park station and that I predicted a very safe and stable tour outing.

I proceeded, North Westerly to the intersection located at the entrance to the Barron River, then turned South <to Port>, along the maintained channel out through Indian key passage. No difficulties noticed in any of the boats systems.

14:00 proceeded as usual conducting a nature narration on the Pa system.

14:40 Past channel marker # 10, we came in contact with a pod of dolphins, I increased boat speed somewhat to pull close alongside, if possible,. Many <7 or 8>, people, raised from their seats to look over the port rail to view them. The boat heeled slightly to Port, but nothing extreme, in my opinion. The dolphins disappeared then reappeared. I turned a circle in the boat for the passengers to have a better view of the Dolphins. Still no visual boat problems experienced. I then reduced boat speed.

15:20 obviously, when reducing boat speed, the boats bow will rise slightly ,and the stern will lower somewhat,...It did not feel as usual, the stern sat somewhat excessive.. I looked back and just made a mental note, that a few passengers I had seated toward the rear <stern>, were a little heavy set .I concluded casually, that was the reason it felt I was a little stern heavy. I proceeded onward past channel marker # 7, outbound.

15: 40 I noticed a small amount of water inside the boat behind me, we had just passed a inbound crab boat, and I attributed it to a small amount of water sloshing around in the bilge compartment. <Small packing gland drip>. I then noticed both bilge light indicators on. I looked ouverboard, and noticed the bilge pumping. I informed passengers of the need to adorn life preservers and attempted to try to make slow way toward a beach area <I sensed something was terribly wrong>. At that instant a passing crab boats wake<created from a long ways off>, burped over into the boat,filling the stern with water. All the events in the previous 5 sentences happened in less than 3 seconds. No engine response,and the stern dropped down under the water QUICKLY. The passengers and I had no time to remove preservers.

The bow of the boat stayed above water. The engine box floated, and passengers were hanging onto it. <approx 10 pass>. Another 10 approx, were hanging onto the forward rail. And the remainder were swimming. I waved an approaching crab boat down. It made eye contact, and started approaching us stern first, from the Southwest. I tried to tell passengers to stay with OUR boat, but to no avail, many <25., started swimming toward the crab boat. I yelled at the crab boat to go to nuetral engine, in fear of passengers being injured by the propeller. They complied. I yelled to the person in the Tuna tower to "contact the Coast Guard" They <crew>, started assisting passengers on board.. There were approx. 6 passengers clinging onto the engine cover box. After the crab boat crew assisted everyone on board swimming they moved over and retrieved the passengers floating on the engine box.I yelled toward the crab boat "Folks is everyone in your family accounted for?" Passengers yelled back "yes". I remained hanging onto the bow rail of the boat, slightly out of the water with 2 older passengers of Scottish descent. They informed me they did not swim well. A recreational boater was approaching,and I waved this boat down and they approached myself,and my remaining 2 passengers. We boarded the recreational vessel. I again yelled at the crab boat "Does anyone know of anyone missing?" I was not in a position for a head count. "Don't leave untill everyone is on board,..make sure, I yelled", as the heavily laden crab boat

proceeded in bound at slow ideal. I attempted to contact the Coast Guard from the rec vessel, but experienced weak reception. A local park ranger approached, and had also retrieved 2 passengers from the water. I yelled at "Kieth", "have you made contact with the Coast Guard ?", he gave me a thumbs up from a far. Kieth began making slow circles making sure no other passengers were in the water.

As the rec boat, crab boat, and ranger boat headed slow ahead inbound, there approached 3 boats from the boat tour company, we asked passengers if there were any injuries and proceeded loading passengers over into the more stable tour boats. I then transferred my passengers over, and I took the wheel of Panther II, a sister ship to the submerged vessel. Passengers were exhausted from swimming, but everyone was giving me the thumbs up, when I would inquire about injuries. I landed at the boat basin dock and assisted passengers off the boat. Warm hugs of relief were exchanged as I ventured from passenger to passenger, inquiring to injured. Minor abrasions were evident. Nothing more serious than that was noted.